

REMARKS

The application has been amended and is believed to be in condition for allowance. These amended claims and remarks are filed as part of a supplemental amendment responsive to the Notice of Non-Compliant Amendment mailed April 14, 2009 (the "Notice").

Amendments to the claims filed with the amendment of December 12, 2008 are as follows:

claim 12 is amended as to form consistent the U.S. practice;

claim 15 is amended to depend from claim 14 rather than from claim 15; and

claim 18 is amended to address a typographical error.

Entry of the foregoing amendments is earnestly solicited.

The following Remarks are also amended responsive to the Notice; the Remarks are amended to include an argument for the patentability of new claims 13 and 14.

Claim Amendments and New Claims

Claims 1-11 remain in this application.

Claim 1-11 are amended as to form in consideration of U.S. practice and preferences.

Claim 1 is further amended to distinguish the watermarker and the structure of the casing from the prior

art. The amendments to the claims find support in the specification and the drawing figures (e.g., page 1, lines 3-4; page 2, lines 26-29; page 4, lines 19-21 and 22-23; and page 6, line 6) and do not introduce new matter.

New claims 12 and 16-18 depend from claim 1 and further distinguish the invention from the prior art, finding support in the specification and the drawing figures as originally filed (e.g., page 4, lines 16-25).

New claim 13 recites a method of preparing an inspection report and new claims 14 and 15 define a method of providing a certified inspection service. Both methods are tied to a particular machine (i.e. an inspection apparatus). Claims 13-15 find support in the specification and the drawing figures as originally filed (e.g., page 2, line 11-12, 21-29; and page 3, lines 4-8).

The new claims introduced herewith do not introduce new matter. Allowance of the new claims is respectfully solicited.

Amendments to the Disclosure

The specification has been amended to include section headings; no new matter is introduced by way of these amendments.

Rejections under Section 102

The Official Action rejected claims 1-11 under 35 USC 102(b) as being anticipated by Rhoads et al. (U.S. Pub. 2002/0122564; "RHOADS").

In reply, it is respectfully submitted that RHOADS does not teach or suggest an inspection apparatus as recited by claim 1. For example, it is respectfully submitted that RHOADS fails to teach or suggest a secure casing for the inspection apparatus, as required by claim 1.

On the contrary, RHOADS merely discloses a method for applying digital watermarking technology to satellite imagery (see, e.g., Abstract, paragraphs [0009]-[0010]). At best, RHOADS teaches structure as to an apparatus only so far as a satellite or a ground station (paragraphs [0045] and [0046]).

The Official Action offers paragraph [0102] as teaching a digital audio device. The disclosure teaches, however, only that "equipping an imaging instrument with an optical shutter that imparts a watermark to an image finds application in digital cinema (e.g., in watermarking a theatrical movie with information indicating the theatre's geo-location, date, time, and/or auditorium of screening)," (paragraph [0102], lines 3-7). In other words, RHOADS suggests a projector equipped to embed a watermark containing date and location information to the projected image.

RHOADS fails to teach, or even suggest, a digital audiovisual device contained within a compact and secure casing along with a central processing unit, a clock, and a watermark, each and all being required by amended claim 1.

That is, RHOADS, directed toward a method for applying watermarks in a satellite application (although other applications of watermarking such as the movie theater described above are suggested in the paragraphs following [0090]), fails to teach any structure required by amended claim 1, and in particular, fails to teach the combination of elements recited and the containment of said elements within a compact and secure casing.

Accordingly, it is respectfully submitted that RHOADS does not anticipate the invention recited by amended claim 1.

Claims depending from claim 1 are also patentable over RHOADS, at least for depending from a patentable claim. For example, RHOADS fails to teach any of a connector configured to attach to an external source, a connector configured to be attached to a stand, or a casing configured to be tamper proof (see dependent claims 11, 12, and 18).

It is further respectfully submitted that claim 13 is not anticipated by RHOADS at least for reciting at least one digital audiovisual device comprised in a secure casing. As set forth above, RHOADS does not anticipate this feature.

It is additionally respectfully submitted that claim 14, and claims depending therefrom, are not anticipated by RHOADS at least for reciting providing a first person with an inspection apparatus as recited, said first person triggering the audiovisual device at the desired location, and transmitting the data recorded by the apparatus to a second person commissioning for the inspection via a secure channel. RHOADS does not anticipate these steps.

It is further respectfully submitted that claim 1, as amended, is non-obvious over RHOADS for at least the following reasons.

A large number of technical or commercial activities where an expert (or chartered professional) is conventionally called upon to prepare an inspection report. However this results in several drawbacks, including high expenses, long delays, human errors, and possibility of distrust in the good faith of the expert (see specification, page 1, lines 6-31).

The invention recited in claims 1, 13 and 14 offers the possibility of performing inspections while avoiding these drawbacks, since the inspection apparatus (as recited in claim 1), the method of preparing an inspection report (as recited in claim 13) or the certified inspection service (as recited in claim 14) allow to replace the human expert.

The claimed inspection apparatus provides dated digital audiovisual recordings and the measurements made by

the apparatus are all authenticated, the temporal information being embedded by the watermarker in the data stream from the digital audiovisual device.

RHOADS fails to either teach or suggest this. At best, RHOADS teaches the use of aerial photographs. However, no practical embodiment is disclosed in the RHOADS document (see, e.g., paragraphs [0079], [0084] and [0087]). Further, RHOADS acknowledges that some of the concepts disclosed are only of prospective nature (paragraphs [0074], [0076]).

As to claims 5 and 15, it is readily apparent to one of skill in the art that the use of aerial photographs teaches away from measuring the geographic position of the camera (see, e.g., paragraphs [0045] and [0052]). Indeed, paragraph [0069] even suggests to obtain a geo-vector via an online remote database.

Accordingly, it is respectfully submitted that the claims presented are patentable over RHOADS.

Reconsideration and allowance of the claims are respectfully requested.

From the foregoing, it will be apparent that Applicant has fully responded to the June 20, 2008 Official Action and that the claims as presented are patentable. In view of this, Applicant respectfully requests reconsideration of the claims, as presented, and their early passage to issue.

In order to expedite the prosecution of this case, it is requested that the Examiner telephone the attorney for Applicant at the number set forth below if the Examiner is of the opinion that further discussion of this case would be helpful.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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